

RESOLUTION NO. 75-74

CITY OF RIDGECREST

RESOLUTION OF THE CITY COUNCIL CONFIRMING
THE ASSESSMENT, ORDERING THE IMPROVEMENTS
MADE TOGETHER WITH APPURTENANCES AND
APPROVING ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 9

WHEREAS, this City Council did on the 6th day of
August, 1975, adopt its Resolution of Intention No. 75-54
for the construction of certain sanitary sewer improvements in a
special assessment district known as ASSESSMENT DISTRICT NO. 9.

WHEREAS, pursuant to said Resolution of Intention a
"Report" as therein provided was presented, considered, and approved
by this Council; and

WHEREAS, said "Report" as preliminarily approved contained
all the matters and items called for by law and as pursuant to the
provisions of the "Municipal Improvement Act of 1913," being Divi-
sion 12 of the Streets and Highways Code of the State of California,
including the following:

1. Plans and specifications of the proposed improvements.
2. Estimate of cost.
3. Diagram of district.
4. An assessment according to benefits.
5. A description of the works of improvement.

WHEREAS, this Council has heard and considered all protests
and a full hearing having been given all in the manner provided by
law; and

WHEREAS, notices of said hearing were duly and regularly
posted, mailed and published in the time, form, and manner required
by law and as evidenced by affidavits on file in the Office of the
City Clerk; and

WHEREAS, that the owners of one-half (1/2) of the area
assessed for the cost of the project did not file written protests
against the said proposed acquisition and improvements and said City
Council did after providing a full hearing, overrule and deny all
protests and objections.

WHEREAS, said City Council is now satisfied with the
assessment and all matters contained in the "Report", as now sub-
mitted.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL
OF THE CITY OF RIDGECREST, STATE OF CALIFORNIA, AS FOLLOWS.

SECTION 1. That the above recitals are all true and
correct.

SECTION 2. That the "Report", consisting of the assessment
and diagram for the improvements together with appurtenances is hereby
confirmed.

SECTION 3. That the public interest and convenience require the proposed improvement to be made and therefore said City Council hereby orders the work to be done and improvements to be made together with acquisitions, in said district, as set forth in Resolution of Intention No. 75-54, adopted on the 6th day of August, 1975, as set forth in the "Report" presented and considered by this Council, and as now submitted.

That the Engineer's "Report" including the estimate of the itemized and total costs and expenses of said acquisition and improvements, including incidental expenses in connection therewith be and it is hereby finally adopted and so approved.

SECTION 4. The Treasurer of the City of RIDGECREST, California, is hereby authorized and directed to establish a special fund account to be known and designated as "Improvement Fund for ASSESSMENT DISTRICT NO. 9" into which shall be paid all payments to be received upon said assessment, and the proceeds of the sale of securities to be issued representing unpaid assessments.

SECTION 5. That the assessment contained in said "Report" is hereby levied upon the respective subdivisions of land in the assessment district as set forth in the said "Report".

SECTION 6. That the City Clerk shall forthwith deliver to the Superintendent of Streets the said assessment, together with the diagram attached thereto and made a part thereof, as confirmed by this Council with his certificate of such confirmation thereto attached and of the date thereof; and that said Superintendent of Streets shall then immediately record said diagram and assessment in his office in a suitable book to be kept for that purpose and attach thereto his certificate of the date of such recording.

SECTION 7. That said Superintendent of Streets, upon the recording of said diagram and assessment, shall mail to each owner of real property within the assessment district at his last known address as the same appears on the tax rolls of the City or on file in the Office of the City Clerk of said City, or to both addresses if said address is not the same, or to the General Delivery when no address so appears, a statement containing a designation by street number or other description of the property assessed sufficient to enable the owner to identify the same, the amount of the assessment, the time and place of payment thereof, the effect of failure to pay within such time, and a statement of the fact that bonds will be issued on unpaid assessments pursuant to the "Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code of the State of California.

SECTION 8. That said Superintendent of Streets shall also give notice by publishing a copy of a notice of recording of assessment in the "DAILY INDEPENDENT" a newspaper published in said City in the manner and form as provided by law, giving notice that said assessment has been recorded in his office, and that all sums assessed thereon are due and payable immediately, and that the payment of said sums is to be made within thirty (30) days after the date of recording the assessment, which date shall be so stated in said notice, and of the fact that securities will be issued upon unpaid assessments.

SECTION 9. That the City Clerk immediately upon recordation of the assessment roll and diagram shall file a certified copy of the assessment diagram in the office of the County Recorder. Immediately thereafter said City Clerk further shall record a copy of the notice of assessment in the office of said County Recorder in the manner and form as set forth by law and specifically Section 3114 of the Streets and Highways Code of the State of California. The assessments do not become a lien upon the individual and particular parcels within the boundaries of the assessment district until said notice of assessment has been so recorded.

APPROVED and ADOPTED this 18th day of September, 1975.


MAYOR OF THE CITY OF
RIDGECREST, STATE OF CALIFORNIA

ATTEST:

JOSEPH CLOONAN
CITY CLERK OF THE CITY OF
RIDGECREST, STATE OF CALIFORNIA

BY:


DEPUTY CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF KERN) ss
CITY OF RIDGECREST)

I, Joseph L. Cloonan, City Clerk of the City of Ridgecrest, California, DO HEREBY CERTIFY that the foregoing Resolution being Resolution No. 75-74, was duly passed, approved and adopted by said City Council, approved and signed by the Mayor and attested by the City Clerk, all at an adjourned meeting of said City Council held on the 18th day of September 1975, and that the same was passed and adopted by the following vote, to wit:

AYES: Mayor. Shacklett, COUNCILMEN: Mettenburg and Wilson.

NOES: None. COUNCILMEN:

ABSENT: Councilwoman, COUNCILMEN: Edwards.
 Green,

DATED: September 23, 1975..

JOSEPH L. CLOONAN
CITY CLERK

By:

Jacqueline C. Reed
JACQUELINE C. REED
DEPUTY CITY CLERK
CITY OF RIDGECREST, CALIFORNIA